

NS:LKG/KCB
F. #2018R01984

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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1:18-cr-00609(RJD)(VMS)

UNITED STATES OF AMERICA

- against -

HERMAN BLANCO,
also known as "Taliban" and
"L,"
ARTHUR CODNER,
also known as "Feddi," "Feddie,"
"Fetty," "Feddi Bossgod,"
"Fetty Boss" and "Scary,"
JASON CUMMINGS,
also known as "The Hat" and
"Stacks,"
ALFRED LOPEZ,
also known as "Aloe,"
KALIK MCFARLANE,
also known as "Dottkom" and
"Dot,"
BRANDEN PETERSON,
also known as "B" and "Mur B,"
HIMEN ROSS,
also known as "Ace" and
"A Boggie,"
BUSHAWN SHELTON,
also known as "Shelz,"
JULIAN SNIPE,
also known as "Biz," "Bizzie B" and
"Bizzzy," and
ANTHONY ZOTTOLA, SR.,

Defendants.

-----X

S U P E R S E D I N G
I N D I C T M E N T

Cr. No. 18-609 (S-3) (RJD)
(T. 18, U.S.C., §§ 922(g), 924(a)(2),
924(c)(1)(A)(i), 924(c)(1)(A)(ii),
924(c)(1)(A)(iii), 924(d)(1), 924(j)(1),
981(a)(1)(C), 1958(a), 1621(2),
1791(a)(2), 1791(b)(4), 2 and 3551 et
seq.; T. 21, U.S.C., § 853(p); T. 28,
U.S.C., § 2461(c))

THE GRAND JURY CHARGES:

COUNT ONE
(Murder-for-Hire Conspiracy)

1. On or about and between November 1, 2017 and October 11, 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants HERMAN BLANCO, also known as "Taliban" and "L," ARTHUR CODNER, also known as "Feddi," "Feddie," "Fetty," "Feddi Bossgod," "Fetty Boss" and "Scary," JASON CUMMINGS, also known as "The Hat" and "Stacks," ALFRED LOPEZ, also known as "Aloe," KALIK MCFARLANE, also known as "Dottkom" and "Dot," BRANDEN PETERSON, also known as "B" and "Mur B," HIMEN ROSS, also known as "Ace" and "A Boggie," BUSHAWN SHELTON, also known as "Shelz," JULIAN SNIPE, also known as "Biz," "Bizzie B" and "Bizzzy," and ANTHONY ZOTTOLA, SR., together with others, did knowingly and intentionally conspire to use and to cause another to use one or more facilities of interstate commerce, to wit: one or more cellular telephones, with intent that one or more murders be committed in violation of New York Penal Law Section 125.25, to wit: the murders of Sylvester Zottola and John Doe #1, an individual whose identity is known to the Grand Jury, as consideration for the receipt of, and as consideration for a promise and agreement to pay, something of pecuniary value, and the death of Sylvester Zottola and the personal injury of John Doe #1 did result.

(Title 18, United States Code, Sections 1958(a) and 3551 et seq.)

COUNT TWO
(Murder-for-Hire)

2. On or about and between November 1, 2017 and October 11, 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants HERMAN BLANCO, also known as “Taliban” and “L,” ARTHUR CODNER, also known as “Feddi,” “Feddie,” “Fetty,” “Feddi Bossgod,” “Fetty Boss” and “Scary,” JASON CUMMINGS, also known as “The Hat” and “Stacks,” ALFRED LOPEZ, also known as “Aloe,” KALIK MCFARLANE, also known as “Dottkom” and “Dot,” BRANDEN PETERSON, also known as “B” and “Mur B,” HIMEN ROSS, also known as “Ace” and “A Boggie,” BUSHAWN SHELTON, also known as “Shelz,” JULIAN SNIPE, also known as “Biz,” “Bizzie B” and “Bizzzy,” and ANTHONY ZOTTOLA, SR., together with others, did knowingly and intentionally use and cause another to use one or more facilities of interstate commerce, to wit: one or more cellular telephones, with intent that one or more murders be committed in violation of New York Penal Law Section 125.25, to wit: the murders of Sylvester Zottola and John Doe #1, as consideration for the receipt of, and as consideration for a promise and agreement to pay, something of pecuniary value, and the death of Sylvester Zottola and the personal injury of John Doe #1 did result.

(Title 18, United States Code, Sections 1958(a), 2 and 3551 et seq.)

COUNT THREE
(Unlawful Use and Possession of Firearms)

3. On or about and between November 1, 2017 and October 11, 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants HERMAN BLANCO, also known as “Taliban” and “L,” ARTHUR CODNER, also known as “Feddi,” “Feddie,” “Fetty,” “Feddi Bossgod,” “Fetty

Boss” and “Scary,” JASON CUMMINGS, also known as “The Hat” and “Stacks,” ALFRED LOPEZ, also known as “Aloe,” KALIK MCFARLANE, also known as “Dottkom” and “Dot,” BRANDEN PETERSON, also known as “B” and “Mur B,” HIMEN ROSS, also known as “Ace” and “A Boggie,” BUSHAWN SHELTON, also known as “Shelz,” JULIAN SNIPE, also known as “Biz,” “Bizzie B” and “Bizzzy,” and ANTHONY ZOTTOLA, SR., together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to a crime of violence, to wit: the crime charged in Count Two, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 2 and 3551 et seq.)

COUNT FOUR

(Causing Death Through Use of a Firearm – Sylvester Zottola)

4. On or about October 4, 2018, within the Eastern District of New York and elsewhere, the defendants HERMAN BLANCO, also known as “Taliban” and “L,” ARTHUR CODNER, also known as “Feddi,” “Feddie,” “Fetty,” “Feddi Bossgod,” “Fetty Boss” and “Scary,” JASON CUMMINGS, also known as “The Hat” and “Stacks,” ALFRED LOPEZ, also known as “Aloe,” KALIK MCFARLANE, also known as “Dottkom” and “Dot,” BRANDEN PETERSON, also known as “B” and “Mur B,” HIMEN ROSS, also known as “Ace” and “A Boggie,” BUSHAWN SHELTON, also known as “Shelz,” JULIAN SNIPE, also known as “Biz,” “Bizzie B” and “Bizzzy,” and ANTHONY ZOTTOLA, SR., together with others, in the course of a violation of Title 18, United States Code, Section 924(c), to wit: the crime charged in Count Three, did knowingly and intentionally cause the

death of a person through the use of a firearm, which killing was a murder as defined in Title 18, United States Code, Section 1111(a), in that the defendants, together with others, with malice aforethought, did unlawfully kill Sylvester Zottola willfully, deliberately, maliciously and with premeditation.

(Title 18, United States Code, Sections 924(j)(1), 2 and 3551 et seq.)

COUNT FIVE
(Felon in Possession)

5. On or about October 11, 2018, within the Eastern District of New York, the defendant BUSHAWN SHELTON, also known as "Shelz," knowing that he had previously been convicted in a court of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a .32 caliber Armi Tanfoglio Giuseppe semi-automatic pistol.

(Title 18, United States Code, Sections 922(g), 924(a)(2) and 3551 et seq.)

COUNT SIX
(Perjury)

6. On or about October 11, 2018, within the Eastern District of New York, the defendant BUSHAWN SHELTON, also known as "Shelz," did knowingly, intentionally and willfully subscribe as true, in a declaration under penalty of perjury as permitted under Title 28, United States Code, Section 1746, to wit: a financial affidavit submitted to the United States District Court for the Eastern District of New York, one or more material matters that he did not believe to be true, to wit: in the section of the affidavit where he was required to disclose the amount of "cash on hand or money in savings and checking accounts" he had, SHELTON declared "\$5,500.00," when in fact, as SHELTON then and

there well knew and believed, SHELTON had more than \$5,500 in cash on hand or money in savings and checking accounts.

(Title 18, United States Code, Sections 1621(2) and 3551 et seq.)

COUNT SEVEN
(Possessing Contraband in Prison)

7. On or about and between December 17, 2018 and May 25, 2019, both dates being approximate and inclusive, within the Eastern District of New York, the defendant BUSHAWN SHELTON, also known as “Shelz,” while an inmate of a prison, to wit: the Metropolitan Detention Center in Brooklyn, New York, did knowingly and intentionally possess a prohibited object, to wit: a cellular telephone.

(Title 18, United States Code, Sections 1791(a)(2), 1791(b)(4) and 3551 et seq.)

COUNT EIGHT
(Felon in Possession)

8. On or about June 18, 2019, within the Southern District of New York, the defendant JULIAN SNIPE, also known as “Biz,” “Bizzie B” and “Bizzzy,” knowing that he had previously been convicted in a court of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a 9mm Luger caliber Smith & Wesson semi-automatic pistol.

(Title 18, United States Code, Sections 922(g), 924(a)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT ONE AND TWO

9. The United States hereby gives notice to the defendants charged in Counts One and Two that, upon their conviction of either such offense, the government will

seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense, including but not limited to the following property: (i) all right, title and interest in the real property and premises located at 15 S. Ridge Road, Larchmont, New York 10538, and all proceeds traceable thereto (the "Larchmont Property"); (ii) approximately one hundred and thirty-eight thousand five hundred and forty-four dollars (\$138,544.00) in United States currency, and all proceeds traceable thereto, seized from the Larchmont Property on or about June 18, 2019; and (iii) approximately forty-five thousand dollars and zero cents (\$45,000.00) in United States currency, and all proceeds traceable thereto, seized from the residence located at 561 Belmont Avenue, Brooklyn, New York on or about October 11, 2018.

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p),

to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS THREE THROUGH FIVE AND EIGHT

11. The United States hereby gives notice to the defendants charged in Counts Three through Five and Eight that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924, including but not limited to: (i) one .32 caliber Armi Tanfoglio Giuseppe semi-automatic pistol, and ammunition contained therein, seized from the residence located at 561 Belmont Avenue, Brooklyn, New York on or about October 11, 2018; and (ii) one (1) 9mm Luger caliber Smith & Wesson semi-automatic pistol, and ammunition contained therein, seized from the residence located at 1465 Nelson Avenue, Apartment 5G, Bronx, New York on or about June 18, 2019.

12. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

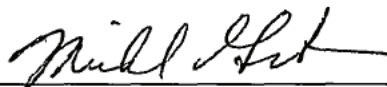
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

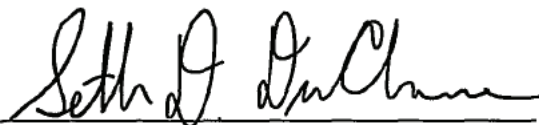
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL



FOREPERSON



SETH D. DUCHARME
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.


HERMAN BLANCO, also known as "Taliban" and "L," ARTHUR CODNER,
also known as "Feddi," "Feddie," "Fetty," "Feddi Bossgod," "Fetty Boss" and
"Scary," JASON CUMMINGS, also known as "The Hat" and "Stacks," ALFRED
LOPEZ, also known as "Aloe," KALIK MCFARLANE, also known as "Dottkom"
and "Dot," BRANDEN PETERSON, also known as "B" and "Mur B," HIMEN
ROSS, also known as "Ace" and "A Boggie," HERMAN BLANCO, also known as
"Shelz," JULIAN SNIPE, also known as "Biz," "Bizzie B" and "Bizzzy," and
ANTHONY ZOTTOLA, SR.,

Defendants.

SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 922(g), 924(a)(2), 924(c)(1)(A)(i), 924(c)(1)(A)(ii),
924(c)(1)(A)(iii), 924(d)(1), 924(j)(1), 981(a)(1)(C), 1958(a), 1621(2),
1791(a)(2), 1791(b)(4), 2 and 3551 et seq.; T. 21, U.S.C., § 853(p); T.
28, U.S.C., § 2461(c))

A true bill



Foreperson

Filed in open court this 14 day,

of JANUARY A.D. 20 21

Clerk

Bail, \$

Lindsay K. Gerdes, Assistant U.S. Attorney (718) 254-6155
Kayla Bensing, Assistant U.S. Attorney (718) 254-6279